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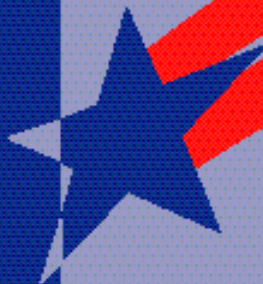
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SPECIAL REPORT

Democratic Leadership Initiatives for the 106th Congress

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Democratic Leadership Initiatives

Americans work hard to meet their obligations to parents, children, and community. Struggling to balance their work and personal lives, American families make difficult choices every day about making ends meet, paying for health care, finding excellent schools and after-school care for their children, and planning for retirement.

During the 105th Congress, Democrats achieved a number of victories for America's working families, including strengthening Medicare, a new program to help lower-income working parents purchase health insurance for their children, new tax credits to help middle-class families pay for college, and funding to help communities hire 100,000 well-trained teachers.

To build on these accomplishments, Democrats will stand united in the 106th Congress to improve the quality of life for millions of hard-working Americans. In the coming months, Democrats' legislative priorities will include the following:

Democrats' First Five Bills

- **S. 6**, the *Patients' Bill of Rights Act*;
- **S. 7**, the *Public Schools Excellence Act*;
- **S. 8**, the *Income Security Enhancement Act*;
- **S. 9**, the *Safe Schools, Safe Streets and Secure Borders Act*;
- **S. 10**, the *Health Protection and Assistance for Older Americans Act*;

Additional Democratic Initiatives

- n* **S. 16**, the *Congressional Election Spending Limit and Reform Act*;
- n* **S. 17**, the *Child Care ACCESS Act*;
- n* **S. 18**, the *SAFER Meat and Poultry Act*;
- n* **S. 19**, the *Agricultural Safety Net and Market Competitiveness Act*;
- n* **S. 20**, the *Brownfields and Environmental Cleanup Act*; and
- n* **S. 74**, the *Paycheck Fairness Act*.

S. 6, the *Patients' Bill of Rights*

The focus of HMOs and other managed care plans on cutting costs and the emphasis of some on profits before patients' needs have undermined Americans' confidence in their health care. Over the past decade, the number of Americans in managed care plans has grown dramatically. It is estimated that by 1996, 75 percent of employees with employer-provided health insurance were covered by managed care.

In the 105th Congress, Democrats fought to provide millions of American families with quality health care as they worked to pass the *Patients' Bill of Rights*. This bill was supported by nearly 200 organizations representing doctors, nurses, patients' rights advocates, and consumer and labor groups. Unfortunately, the Republican majority refused to work with Democrats to pass strong, enforceable patient protections. Ultimately, they paid lip service to protecting patients, but proposed legislation that would create new loopholes to protect HMOs.

Despite the Republicans' and the managed care industry's best efforts to derail this legislation, Democrats are committed to keeping managed care reform at the forefront of Congressional debate. During the 106th Congress, the Democrats' number one legislative priority is the passage of the *Patients' Bill of Rights of 1999*.

Democratic Leadership Initiative

The central objective of the *Patients' Bill of Rights* is to ensure that patients will receive the care they have been promised and paid for. The *Patients' Bill of Rights* does this in a number of ways.

- **Guarantees patients access to emergency room care.** The *Patients' Bill of Rights* allows patients to go to any emergency room during a medical emergency, without having to call a health plan for permission. Emergency room physicians can stabilize their patients and plan for a cure after stabilization without fear that health plans will deny coverage.

- **Guarantees patients access to needed specialists.** The *Patients' Bill of Rights* ensures that patients who suffer from a chronic condition or a disease that requires care by a specialist will have access to a qualified specialist. If the HMO does not include specialists qualified to treat a condition, such as a child's heart defect, it would have to allow the patient to see a qualified doctor within its network at no extra cost. The *Patients' Bill of Rights* also allows patients with serious ongoing conditions to choose a specialist as their primary doctor or to see that doctor without having to ask their HMO for permission before every visit.
- **Gives women access to an OB/GYN.** The *Patients' Bill of Rights* allows a woman to have direct access to her OB/GYN without having to get a referral from her HMO. Women also would have the option to designate their OB/GYN as their primary care physician.
- **Frees doctors to practice medicine.** The *Patients' Bill of Rights* ensures that doctors—not HMO accountants—make medical decisions. HMOs are prevented from inappropriately interfering with doctors' judgments and cannot mandate drive-through procedures or set arbitrary limits on hospital lengths of stay. Doctors and nurses who advocate on behalf of their patients will be protected from retaliation by HMOs.
- **Makes needed prescriptions drugs available to patients.** The *Patients' Bill of Rights* ensures that patients with drug coverage will be able to obtain needed medications, even if they are not on the HMO's approved list.
- **Gives patients the right to appeal HMO decisions to an independent board and receive a timely decision.** The *Patients' Bill of Rights* guarantees that patients who are denied care by an insurance company can appeal to an independent reviewer and receive, timely decisions that are binding on the HMO.

- **Holds HMOs accountable for their actions.** Today, even if an HMO has been involved directly in dictating, denying, or delaying care for a patient, it can use a loophole in the *Employee Retirement Income Security Act of 1974* (ERISA) to avoid any responsibility for the consequences of its actions. ERISA was designed to protect employees from losing pension benefits due to fraud, mismanagement and employer bankruptcies during the 1960s, but has had the effect of leaving patients harmed by their HMOs' decisions to deny or delay care with no effective remedy. The *Patients' Bill of Rights* closes this loophole and ensures that like any other industry, HMOs can be held accountable for their actions.

S. 7, the *Public Schools Excellence Act*

Throughout the 20th Century, our public schools have provided opportunities for millions of Americans of all backgrounds and laid the foundation for our national economic success and strong economy. As the United States approaches the new millennium, it is critical that national leaders step up to the challenge and work to improve and strengthen our public schools. In an economy where six out of ten jobs will require sophisticated computer skills, and where the relationship between income and education level is clear, Senate Democrats are committed to improving education of the nearly 50 million American children who rely on public education.

Over the next ten years, public high school enrollment is expected to increase by 11 percent at the same time half of our Nation's experienced teachers will be retiring. The National Commission for Teachers and America's Future has found that current demand for new teachers is being met by admitting 50,000 unqualified teachers to the classroom each year. Further exacerbating the problem, too many new teachers leave the teaching profession within the first three to five years, including 30-50 percent of urban teachers.

In addition, the Nation's schools are in disrepair. Each day 14 million students attend schools that need extensive repair or replacement of one or more buildings. In addition, almost half (46 percent) of America's schools have inadequate electrical wiring for computers and communications technology.

In the 105th Congress, Democrats were successful in passing legislation to help families afford the cost of higher education and enhance learning in our public elementary and secondary schools by establishing HOPE scholarships, a tax credit for up to \$1,500 of tuition expenses and providing local communities with \$1.2 billion to reduce class size. Democrats are united behind an education legislative agenda for the 106th Congress that builds on these legislative successes, and tackles the challenges of preparing our children to work in the high-tech economy of the 21st Century.

Democratic Leadership Initiative

S. 7, the *Public Schools Excellence Act*, combines several proposals to increase student achievement.

School Modernization. This legislation would help local communities rebuild, modernize and reduce overcrowding in more than 5,000 local public schools. The school modernization plan provides nearly \$20 billion in authority for States and local governments to issue qualified school modernization bonds, effectively paying the interest cost of school bond issues. It also modifies the existing qualified zone academy bonds program to expand funding for the bonds and include new school construction as a permissible use.

100,000 Teachers—Smaller Classes. The bill also builds on last year's budget agreement by authorizing a six-year effort to help local school districts continue to meet the goal of hiring 100,000 new, qualified teachers to reduce class size in grades one through three. Up to 15 percent of the funds can be used to support activities such as professional development courses to improve overall teacher quality.

Quality Teachers. The legislation will provide local school districts with \$1.2 billion to recruit excellent teacher candidates, retain and support promising beginning teachers, and provide veteran teachers and principals with the ongoing professional development needed to help all children meet high standards of achievement. The bill requires the full \$300 million for funding of Title II of the *Higher Education Act* to improve the initial preparation of teachers. **S. 7** also includes accountability measures to ensure improvement in the quality of the Nation's teaching force by requiring States and school districts to reduce both out-of-field placement of teachers and the number of teachers with emergency credentials.

After-School Programs. In order to provide parents and their children with better choices, Democrats support tripling the funding (from \$200 million to \$600 million) for the 21st Century Learning Center Program, which gives schools funds to operate after-school and summer school programs. Currently, over 190,000 children in 800 schools around the country benefit from this program, by participating in after-school programs that provide students with academic enrichment, tutoring, recreation and other activities. By expanding the program, more than one million children each year will have access to safe and constructive after-school activities. In addition, the bill provides funds for community-based after-school programs through the Child Care and Development Block Grant.

S. 8, the *Income Security Enhancement Act*

S. 8, the *Income Security Enhancement Act*, includes the following measures to enhance the economic security of working Americans: an increase in the minimum wage, marriage penalty tax relief, pay equity for women, pension reform, and an initiative to ensure any budget surplus is not spent before Congress addresses the solvency of Social Security.

The *Fair Minimum Wage Act*

By nearly every measure, we have the strongest economy in a generation. A budget surplus, rising worker productivity, and increased business investment have given us sustained economic growth, the lowest unemployment rate in 29 years, and the lowest inflation rate in more than three decades. But the benefits of prosperity have not flowed to many lower wage workers. Senate Democrats believe that honoring work means paying these workers a fair minimum wage.

Democratic Leadership Initiative

S. 8 would provide a 50 cent increase to the minimum wage on September 1, 1999, and a second increase on September 1, 2000. These modest increases, which would raise the minimum wage to \$6.15 per hour, would help millions of lower-income Americans and their families. The legislation would also extend the Federal minimum wage to the Commonwealth of the Northern Marianas Islands (CNMI) for the first time.

To have the purchasing power it had in 1968, the minimum wage should be at least \$7.45 per hour today, instead of the current level of \$5.15. That gap shows how far we have fallen short in giving lower-income workers their fair share of our extraordinary economic prosperity. Since 1968, the stock market, adjusted for inflation, has increased by more than 150 percent—while the purchasing power of the minimum wage has decreased by 30 percent.

In an era of economic growth in which the gap between rich and poor has widened, raising the minimum wage is a matter of fundamental fairness. Numerous studies have shown that modest increases in the minimum wage, especially during times of low unemployment, have not had a negative impact on employment. Analyses of Department of Labor data also reveal that benefits from an increase in the minimum wage go to the adult, low-income workers who need it the most.

The extension of the Federal minimum wage to CNMI would improve the quality of life for thousands of workers in this U.S. territory, whose current minimum wage is \$3.05. Since 1994, shipments of garments from the CNMI to the U.S. has almost tripled; the level of garment shipments for the last 12 months to the U.S. are valued at over \$1 billion dollars. Foreign garment makers with plants in the CNMI are using low-wage workers to manufacture garments made of foreign material. The garments produced then can be legally, but misleadingly, labeled as “Made in the USA.” If these garments are shipped with the “Made in the USA” label, then fairness requires that workers receive an equitable minimum wage.

Marriage Penalty Tax Relief

Democrats have worked hard to improve the tax code for working families. Senate Democrats have supported targeted tax relief to help students, families with children, small businesses, family-owned farms and businesses, retirement savings, and other key priorities. **S. 8** continues that effort by providing marriage penalty tax relief.

The “marriage penalty” is the additional tax paid by a husband and wife over and above what the couple would have paid in the aggregate if they were not married. Marriage penalties generally occur where both spouses have similar incomes. As one spouse’s income becomes greater relative to the other, the penalty diminishes. Consequently, those who will benefit most from this bill are working couples who rely heavily on a second income. Democrats want to make sure that families in which both spouses work are treated fairly under the tax code.

Democratic Leadership Initiative

Twenty percent deduction. The bill allows families to deduct 20 percent of the income of the lesser-earning spouse. This deduction would be phased out for families making between \$50,000 and \$70,000 a year. The 20 percent deduction would be “above-the-line,” ensuring that all joint filers could claim it, regardless of whether they itemize deductions on their tax return.

Benefits those eligible for the EITC. The deduction would be factored into the Earned Income Tax Credit (EITC) calculation; that is, it would help people making less than \$30,000 who may have no income tax liability against which to take the deduction.

Targeted tax relief. Unlike other proposals that alleviate the marriage penalty for some while increasing the marriage bonus for others, 90 percent of this tax cut goes to working families who actually experience a marriage penalty.

The Paycheck Fairness Act

Nearly thirty-five years ago, President Kennedy called the *Equal Pay Act* the first step in addressing “the unconscionable practice of paying female employees less wages than male employees for the same job.” When President Kennedy signed the *Equal Pay Act* in 1963, women earned 61 cents for each dollar earned by a man (Bureau of the Census).

Nearly four decades later, the earning power of women relative to men has not improved significantly. In 1997, a working woman still earned on average only 74 percent of the wage earned by a man (Bureau of the Census).

In addition, lower pay over a lifetime of work makes it far more difficult for women to save adequately for retirement. The average American woman loses approximately \$420,000 in wages and benefits over the course of her life because of unfair pay practices (Bureau of the Census). Because the average woman lives seven years longer than a man, women need to stretch fewer dollars over a longer period of time.

In today’s competitive economy, pay equity is not just a women’s issue, but also a family issue. The *Paycheck Fairness Act* would bring equality and economic stability to women and their families.

Democratic Leadership Initiative

The *Paycheck Fairness Act* seeks to:

- toughen the remedy provisions of the *Equal Pay Act*, by allowing compensatory and punitive damages when appropriate and making it easier for cases to proceed as class actions;
- train Equal Employment Opportunity Commission (EEOC) staff to better handle wage disputes;
- recognize the achievements of the employers who have worked to eliminate pay inequality; and
- establish the sense of the Senate that the President should take steps to increase information about pay equity.

NOTE: This provision of **S. 8** is also introduced separately as **S. 74** which is described again at the end of this document.

The Retirement Accessibility, Security and Portability Act

Not all Americans have access to private pensions or are able to acquire personal retirement savings. Many retirees have financial difficulties and, as the oldest members of the baby boom generation begin to approach retirement, Americans have growing concerns about preparing for retirement. Democrats will continue to work toward enhancing the retirement security of American families.

Democratic Leadership Initiative

S. 8 seeks to improve pension access and coverage, promote pension portability, strengthen pension security, and provide pension equity for women.

Increasing access and coverage. The bill would boost pension coverage for men and women by making it easier for employers to offer pension benefits, as well as for workers to build up adequate retirement savings. In

addition, the bill seeks to improve pension access for small business employees and low-to-moderate income workers, who are less likely to have pension coverage. The main features of the pension access provisions in **S. 8** would:

- create a new system to help workers without pension coverage build their own retirement savings through direct deductions from their paychecks into an IRA;
- establish an easy-to-administer defined benefit plan option for small businesses, known as the SMART plan;
- provide a maximum credit of \$1,000 to help small businesses cover the cost of setting up new pension plans; and
- modify new rules for “SIMPLE” and 401(k) plans to encourage minimum pension coverage for low-to-moderate income employees.

Promoting pension portability. Few Americans will spend their working lives in one job. Today, the American workforce is much more mobile than it once was, and workers need to take their pension savings with them as they move from job to job. Improved pension portability would give workers greater flexibility, allowing them to change jobs and still acquire retirement savings and earn pensions. This bill encourages pension portability through:

- faster vesting of employers’ matching contributions under defined contribution plans (including 401(k) plans), so that employees would have rights to the contributions after at least three years of employment;
- allowing participants in State and local government plans (457 plans) to roll over their account balances into IRAs; and
- allowing rollovers between 401(k) and similar plans set up by non-profit organizations, including 403(b) plans.

Strengthening pension security. Americans depend on their retirement income, and Democrats want to help ensure that the pension benefits that American workers expect will be there when they retire. This bill protects and strengthens pensions through:

- establishing greater safeguards against corporate raids on their employees’ pension plans;

- creating stricter requirements for audits of plan assets and the ways in which companies may invest these assets;
- prohibiting employers from making credit card loans against pension assets; and
- providing pension plan participants with regular and informative benefit statements, so they can monitor the activity and value of their own pension assets.

Increasing pension equity for women. Pension laws were not developed to take into account the full impact of women's work patterns. Because women enter and exit the workforce more frequently than men, and tend to work in jobs that are less likely to offer pension coverage, women often have to rely on their husbands' retirement benefits for their retirement security. **S. 8** would reduce the wide gap in pension coverage between men and women. The bill includes:

- new safeguards to ensure that pension benefits are not overlooked when a couple divides assets upon divorce;
- a new option for Federal workers to provide a greater benefit for women who outlive their husbands;
- new safeguards to ensure that women are not denied their share of their husbands' retirement benefits;
- protections for low-income women against the loss of their Social Security benefits;
- a new women's pension information hotline; and
- additional hours taken under the *Family and Medical Leave Act* that may be credited to the pension plan for purpose of participation and vesting in their plan benefits. This would ensure that women are not forced to choose between meeting the needs of their families and their retirement security.

Save Social Security First

Democrats believe Social Security must be protected, not only for today's elderly, but for all Americans, even those who have not yet entered the workforce. Under current law, total Social Security benefits will begin to exceed payroll tax revenues in 2013. Less than two decades later, Social Security trust funds will be exhausted. The strongest economy in decades provides a unique opportunity to address the long-term solvency of Social Security now.

Republicans in Congress, however, are proposing to weaken the current pay-as-you-go budget rule so that they may spend Social Security trust fund revenues for other purposes. Relaxing the pay-as-you-go rule before reforming Social Security would jeopardize efforts to protect this important program. That is why Democrats want to make sure those safeguards remain in place until we act to save Social Security for the next generation.

Democratic Leadership Initiative

S. 8 establishes a 60-vote point of order against the consideration of legislation that would weaken the pay-as-you-go rule. This rule requires that legislation passed by the Senate include offsets for any increase in mandatory spending or reduction in revenue. In this way, the pay-as-you-go system ensures that legislation does not tap needed Social Security trust fund surpluses. The point of order will sunset once Congress enacts legislation that secures the long-term solvency of the Social Security program.

S. 9, the *Safe Schools, Safe Streets, and Secure Borders Act*

In the midst of rapidly increasing crime rates earlier in the decade, Congressional Democrats passed the *Violent Crime Control and Law Enforcement Act of 1994*. This landmark legislation, and other recent Democratic anti-crime initiatives, have resulted in an historic decrease in crime rates across the United States. According to the Bureau of Justice Statistics (BJS), the violent crime rate in 1997 dropped to its lowest level since 1973, the year BJS started collecting this data.

While crime rates continue to decline, Senate Democrats believe we must do more to further reduce crime. Our juvenile justice system is ill-equipped to deal with young violent offenders whose actions have consequences every bit as tragic as the actions of their adult counterparts. Street gangs continue to peddle drugs, commit violent acts against innocent citizens, and spread fear and intimidation in our neighborhoods. And the recent threats of violence against Americans abroad remind us that international terrorism remains a grave threat to our security. **S. 9, the *Safe Schools, Safe Street and Secure Borders Act***, offers a comprehensive approach to crime and provides the resources to make the *Act* work.

Democratic Leadership Initiative

S. 9, the *Safe Schools, Safe Streets, and Secure Borders Act of 1999*, continues the successful initiatives of the *1994 Crime Act*, targets violent crime in our schools, reforms the juvenile justice system, combats gang violence, cracks down on the sale and use of illegal drugs, enhances the rights of crime victims, and provides meaningful assistance to law enforcement officers in their battle against international crime and terrorism.

Continuing the successes of the *1994 Crime Act*. The *Act* builds on successful initiatives in the *1994 Crime Act*.

- The Community Oriented Policing Services (COPS) Program is extended for two additional years to put 25,000 more police officers on the street.

- States can apply for additional grant funds and incentives for building prisons and jails if they require serious violent offenders to serve at least 75 percent of their sentences.
- The *Violence Against Women Act* (VAWA) is reauthorized through 2002 to provide \$600 million for grants dedicated to the arrest and prosecution of batterers, shelter for 400,000 abused women and their children, and continued access to the National Domestic Violence Hotline.

Targeting violent crime in our schools. S. 9 would target violent crime in schools by:

- creating a School Security Technology Center to serve as a national resource to local schools for school security assessments, security technology development, and technical assistance to improve school security, and provide an additional \$10 million under the Safe and Drug Free School Program to enable local schools to access technical assistance and purchase available security technology; and
- ensuring that juveniles with prior records of serious drug or violent felony acts do not receive or possess guns.

Reforming the juvenile justice system. The legislation would strengthen and reform the American juvenile justice system by:

- providing grants to States to incarcerate violent juvenile offenders, establish graduated sanctions, and encourage pilot programs to replicate successful juvenile crime reduction strategies;
- providing grants for juvenile gun and youth violence courts, and for truancy prevention and comprehensive delinquency prevention activities;
- banning prospective gun purchases by juveniles who have been adjudicated delinquent or convicted of violent crimes, and requiring gun dealers to make gun safety devices available for sale or have their licenses revoked; and
- imposing tougher penalties for possession of guns during the commission of a crime of violence or drug offense.

Combating gang violence. The bill would target gang violence by:

- supporting law enforcement anti-gang efforts in communities designated by the Attorney General as areas with a high level of interstate gang activity;
- enhancing penalties for convicted felons who wear protective body armor or use “lasersighting” devices to facilitate the commission of a crime; and
- doubling the criminal penalties for using or threatening physical violence against witnesses, victims and informants.

Preventing and punishing the sale and use of illegal drugs. The Senate Democrats’ anti-crime initiative would crack down on the sale and use of illegal drugs by:

- increasing penalties for distributing drugs to juveniles and drug trafficking in or near schools;
- authorizing and funding adult and juvenile drug courts, which subject eligible nonviolent drug offenders to intensive supervised treatment programs;
- encouraging research to develop better medications for the treatment of drug addiction; and
- implementing a national drunk driving standard of .08 Blood Alcohol Content.

Protecting law enforcement officers and the judiciary. This initiative would substantially increase current protections for Federal, State, and local law enforcement officers and other public servants by:

- extending the Bulletproof Vest Partnership grant program through 2003;
- establishing new crimes and increasing penalties for killing Federal officers and State or local employees, who are assisting Federal officials, and for killing or assaulting State correctional officers handling Federal prisoners or detainees;

- enhancing the penalty for assaults and threats against Federal judges and other Federal officials engaged in their official duties; and
- establishing a protective function privilege against testimony from Secret Service officers, so that they are able to fulfill their mission of protecting the President, those in direct line for the Presidency, and foreign heads of state.

Guaranteeing the rights of crime victims. The victim rights provisions in the *Act* would reform Federal law in the following ways:

- establishing the right of victims to be notified of detention hearings, plea agreements, sentencing, probation revocations, and prison releases and escapes;
- giving grants to fund the hiring of State and Federal victim-witness advocates to assist crime victims; and
- establishing greater protections against the actions of bounty hunters.

Fighting the war on international crime and terrorism. **S. 9** also would strengthen our efforts in the war against terrorism and international crime by:

- authorizing the FBI's investigation and prosecution of murder and extortion by organized crime groups against U.S. nationals abroad;
- restraining the bank accounts and mobile assets in the United States of persons arrested abroad;
- permitting American law enforcement agencies to share witnesses and evidence with foreign governments; and
- deny racketeers and arms traffickers admission to the U.S. when consular officials have reason to believe they are involved in racketeering activities, arms trafficking, or are fleeing foreign prosecution.

S. 10, the *Health Protection and Assistance for Older Americans Act*

One of the Democrats' strongest achievements in the 105th Congress was protecting and strengthening Medicare in the *Balanced Budget Act of 1997*. Democrats preserved the future of Medicare by implementing reforms, ensuring the financial stability of the Part A trust fund, and protecting the estimated 38 million elderly and disabled Medicare beneficiaries.

Although Democrats have improved access to insurance and health care for millions of Americans, more work remains to be done. For example:

- Americans aged 55 to 64 face special problems with health insurance access and affordability as they face increasing risks of health problems;
- more than five million Americans have significant limitations due to illness or disability and require long-term care; and
- the *Older Americans Act* which is the principal program for delivering social and nutritional services for older Americans has not been reauthorized since Republicans took control of Congress.

Addressing these issues and continuing to strengthen and protect the Medicare program will be at the forefront of the Democrats' legislative priorities during the 106th Congress.

Democratic Leadership Initiative

S. 10, the *Health Protection and Assistance for Older Americans Act*, is the Democrats' principal initiative to improve health care and support services for older Americans. During the 106th Congress, Democrats will be working to meet seniors' needs by offering initiatives to:

- expand access to health care coverage for 55- to 65-year-olds;
- support Americans with long-term care needs and their caregivers; and
- reauthorize the *Older Americans Act*.

Expanding Access to Medicare and Health Care

Americans ages 55 to 64 face problems of access to and affordability of health insurance, as they face increasing risks of health problems.

- Approximately 3.2 million 55- to 64-year olds lack health insurance. This represents an increase of 7 percent in 1997, compared to an increase of 4 percent for the whole country. The number of uninsured individuals in this age range will continue to grow, as the number of people ages 55 to 64 increases from 21 million to 35 million by 2010.
- As people approach age 65, they have less access to, and a greater risk of losing, employer-based health insurance. Many Americans in this age group retire or shift to part-time work or self-employment, sometimes involuntarily. About five million, or 22 percent, of 55- to 65-year olds are either uninsured or rely on frequently expensive individual insurance; three million have no insurance at all.
- People in this age range are twice as likely as 25- to 54-year olds to purchase individual insurance. However, those who seek coverage in the individual market often face significantly higher premiums and find that insurers refuse to cover any care for existing illnesses. In many States, insurers can refuse to issue a policy to an individual.
- The 55- to 64-year-old population is twice as likely to have heart disease, strokes or cancer as people aged 45 to 54. They are three times as likely as 35- to 44-year olds to report fair to poor health status.

S. 10 includes three provisions to improve access to health insurance for 55- to 64-year-olds.

- Individuals ages 62 to 64 without access to group insurance may buy into Medicare.

- Workers ages 55 to 61 and their spouses who lose their health insurance when their firm closes or are laid off may buy into Medicare.
- Retirees ages 55 to 64 whose employers drop their retiree health coverage after they have retired may buy into the employer's health plan through COBRA coverage.

Long-Term Care Initiative

Those who require long-term care—and their caregivers—face significant costs for their care, but few people have insurance to cover those costs.

- About five million Americans of all ages have significant limitations due to illness or disability, and need assistance performing three or more activities of daily living. About two million live in nursing homes; and approximately three million live in their communities and are cared for by family and friends.
- As the aged population grows, so will the number of people requiring long-term care. The number of people aged 65 years or older will double by 2030, from 34.3 million to 69.4 million. The number of people aged 85 years or older will grow even faster, from 4.0 million to 8.4 million.
- The market for insurance to cover long-term care needs is new and untested, and premiums often are high. In addition, many people do not recognize that the Medicare program will not pay for many of their long-term care needs.

S. 10 includes a long-term care initiative, which will also be introduced separately by Senator **Mikulski**. The initiative has four provisions:

- Americans with long-term care needs or family members who care for and house their ill or disabled relatives will be eligible for a \$1,000 tax credit. This proposal supports the needs of families by compensating a wide range of formal or informal long-term care arrangements for people of all ages with three or more limitations in daily activities or a comparative cognitive impairment. About two million Americans, including 1.2 million older Americans, will benefit from this provision.

- A nationwide program would provide respite care and other caregiver support services. This program would support 250,000 families nationwide.
- An education campaign would inform all Medicare beneficiaries about the limitations of Medicare's long-term care coverage and how to evaluate alternative options for meeting their long-term care needs. Nearly 60 percent of Medicare beneficiaries are unaware that Medicare does not cover most long-term care.
- The Federal government would set a national example by offering quality private long-term care insurance to Federal employees. Federal employees, retirees, and their families would be offered non-subsidized, quality long-term care insurance at group rates. It is estimated that approximately 300,000 Federal employees would participate in this program.

Reauthorization of the *Older Americans Act*

The *Older Americans Act* is the main legislative vehicle for delivering social and nutritional services to the elderly. The services funded by the *Act* include meals on wheels, counseling, elder abuse prevention programs, and a long-term care ombudsman program to investigate the complaints of nursing home residents.

The *Older Americans Act* has not been reauthorized since the Republicans took control of Congress in 1994. The program's authorization expired in 1995. The lack of reauthorization creates uncertainty and concern among many seniors who depend on the programs offered by the *Act* and fear that these services may be at risk.

- The *Act's* grant program supports 57 State agencies on aging, 660 area agencies on aging, and 27,000 service providers (CRS).
- The *Act's* Title III nutrition program provides 238 million meals to more than 3 million older Americans. A national evaluation of the nutrition program showed that its participants are older, more likely to be poor, to live alone, and to be members of minority groups (CRS).

- It is estimated that the *Act* provides approximately 40 million rides, and responds to more than 13 million requests for information and assistance each year (CRS).

S. 10 reauthorizes the *Older Americans Act* through FY 2002.

S. 16, the *Congressional Election Campaign Spending Limit and Reform Act*

Candidates and political parties spent more than \$2 billion dollars on the 1996 elections. The average winning U.S. Senator spent \$3.8 million in 1996, compared to \$609,000 to win a Senate seat in 1976, which is a 450 percent increase over those 20 years.

Although the final costs of the 1998 election have not been tallied, it is clear that the costs of campaigns continue to increase. Receipts for 1998 general election Senate candidates grew from \$220 million in 1996, to \$244.4 million in 1998, an 11 percent increase (Federal Election Commission). In addition, the *Washington Post* reports that \$220 million in soft money was raised from January 1, 1997 through October 14, 1998. This amount more than doubles the \$102 million in soft money contributions for all of 1993 and 1994, the last non-presidential campaign cycle.

Democrats fought throughout the 105th Congress to pass responsible campaign finance reform to limit the influence of special interests in Federal elections. Senate Democrats were successful in forcing the Republican leadership to bring the bipartisan McCain-**Feingold** campaign finance reform bill to the Senate floor in September 1997, February 1998, and September 1998. In each instance, a majority of the Senate supported reform, but the Republican leadership prevented a direct vote, killing reform through procedural maneuvering.

Democrats and the American people do not agree with the Republicans. The unprecedented sums of money being spent on elections are not making elections more competitive, nor are they enticing citizens to get more involved—precisely the opposite is happening. The Committee for the Study of the American Electorate reported that fewer Americans cast their ballots in the 1998 mid-term than in 1994, plunging voter turnout to its lowest level since 1942.

Democratic Leadership Initiative

Once again, Democrats will make reforming the campaign finance system to reduce the influence of big money special interests a top priority. **S. 16**, the *Congressional Election Campaign Spending Limit and Reform Act*, includes provisions to curb spending, limit soft money, tighten independent expenditure rules, stop abuse of issue ads, and strengthen the ban on foreign contributions.

Voluntary spending limits. The bill includes a voluntary system of spending limits for Senate candidates (on overall campaign and candidates' personal spending), in exchange for a broadcast rate of 50 percent of the lowest unit rate in general elections. Additional spending is allowed and public funding is offered as a backup mechanism to compensate a candidate opposed by independent expenditures or by an opponent who exceeds the limit.

Soft money. The bill would prohibit soft money contributions to national parties. State and local parties would be permitted to use soft money in non-presidential election years if the money is used only for State and local candidates or ballot measures, and State party committees would be allowed to maintain a separate fund for generic party and grassroots voter drives.

Independent expenditures. The bill works to reduce abuses associated with independent expenditures. Expenditures made in coordination with a candidate or the candidate's committee as an employee or consultant during the election year will be treated as a contribution and not an independent expenditure. The same is true if the person making the expenditure retains the services of an individual who also is providing services to the candidate.

Issue advocacy. The bill works to close the issue advocacy loophole by clarifying the definition of "express advocacy" communication. Express advocacy is defined as urging either the election or defeat of a clearly identified Federal candidate by using explicit phrases that link a candidate to a favored issue position, or using words that in context can have no other reasonable meaning that identifies the candidate, and are made within 60 days of a general election.

Foreign money. The legislation strengthens current law to prohibit foreign nationals from making any contributions in a Federal, State, or local election.

S. 17, the *Child Care ACCESS Act* (Affordable Child Care for Early Success and Security)

Today, more than 60 percent of women with children younger than six, and 77 percent of women with children between the ages of six and seventeen, are in the labor force. Millions of American families face the challenge of finding safe and affordable child care for their children.

Each day, an estimated 13 million children younger than six—including six million babies and toddlers—spend some or all of their day being cared for by someone other than their parents. The care these children receive, especially when they are very young, will have a tremendous impact on their development. Unfortunately, child care quality is not uniformly high. For example, a recent study found 40 percent of the rooms serving infants in child care centers to be of such poor quality as to jeopardize children's health, safety, or development (Children's Defense Fund).

Democrats understand that child care is critically important to America's working families. That is why Democrats are committed to helping States and local communities address the issues of quality, affordability and accessibility in child care.

Democratic Leadership Initiative

S. 17, the *Child Care ACCESS Act* (Affordable Child Care for Early Success and Security), significantly increases child care subsidies for poor children; provides tax relief to help low- and middle-income families pay for child care; creates a tax credit for businesses that provide child care for their employees; increases after-school opportunities for children; promotes early learning; and improves child care quality.

Improving the affordability of child care. The bill provides an additional \$7.5 billion over five years through the Child Care and Development Block Grant, to expand the availability of child care subsidies for working families. This investment will double the number of children served by the block grant to two million by 2004.

Enhancing the quality of child care and early childhood development. The bill provides an additional \$2 billion over five years through the Child Care and Development Block Grant to encourage States to invest in quality improvements such as reducing provider-child ratios; conducting background checks on child care providers; improving the compensation, education and training of child care providers; educating parents on the importance of high-quality care; and ensuring the availability of infant care, child care during non-standard hours, and care for children with special health care needs.

In addition, **S. 17** would involve communities in improving the quality of early childhood development by providing \$2.5 billion over five years in grants to local collaboratives to strengthen services for young children. The bill also would encourage dedicated child care providers to stay in the profession by helping with the repayment of educational loans.

Increasing the availability and quality of school-age child care. The bill provides an additional \$2 billion over five years through the Child Care and Development Block Grant to increase the supply and quality of school-age care in all settings. In addition, through the 21st Century Community Learning Centers, the legislation provides \$600 million to encourage schools to create before- and after-school programs.

Supporting family choices in child care. The bill increases the Dependent Care Tax Credit for families earning under \$60,000—a family earning \$35,000 would see its benefit double from \$480 to \$1,080. In addition, the credit is refundable so that working families with little or no tax liability (those earning under \$30,000) can receive assistance with child care expenses.

The legislation also allows stay-at-home parents with children under the age of one to claim a portion of the Dependent Care Tax Credit. This credit would also be made refundable to allow families earning under \$30,000 to benefit.

Encouraging private-sector involvement. The bill creates a new discretionary program of competitive “challenge grants,” in which communities that generate funds from the private sector could receive matched Federal dollars to improve the availability and quality of child care on a community-wide basis. This is authorized at \$400 million over five years.

In addition, the legislation provides a 25 percent tax credit to employers for operating on-site child care centers; contracting for off-site child care; contributing to the costs of accreditation; or operating resource and referral systems.

Ensuring the quality of Federal child care facilities. The bill requires Federal child care centers to meet all applicable State licensing standards.

S. 18, the *SAFER Meat and Poultry Act (Safe and Fair Enforcement and Recall)*

Changes in the food industry have called for changes in the way we ensure the safety of our food supply. Meat and poultry plants have turned into large operations moving millions of pounds of products into grocery stores, restaurants, and our homes every day. A single contaminated lot of meat can be spread to consumers across the country in a few days. Our ability to assure the safety of our food and react rapidly to potential threats to food safety is critical not only for public health, but also for the vitality of both domestic rural economies and international trade.

Democrats in the 105th Congress successfully helped to improve food safety by securing an increase of \$75.2 million to \$633 million for Food Safety initiatives, including full funding for the Food Safety and Inspection Service, improvements in surveillance of food-borne illnesses, education about proper food handling, research, and inspection of imported and domestic foods. Democrats also worked to pass the *Agricultural Research Extension and Education Reform*, a bill authorizing \$600 million over five years for—among other things—expanded food safety programs. Democrats will build on these accomplishments by working to pass **S. 18**, the *SAFER Meat and Poultry Act (Safe and Fair Enforcement and Recall)*.

Democratic Leadership Initiative

S. 18 gives the Secretary of Agriculture modern, common-sense tools to combat food-borne illness. These tools will help to prevent meat and poultry from contamination by potentially deadly *E. coli* and *Salmonella* bacteria and allow the Secretary to move quickly and decisively to contain food-borne disease outbreaks. The bill would:

- require processors and handlers to notify the U.S. Department of Agriculture (USDA) about contaminated meat and poultry products;
- authorize USDA recall of unsafe products;

- clarify and reinforce the USDA's authority to refuse or withdraw inspection of plants that violate safety standards or procedures; and
- give the USDA the power to assess civil fines for violations.

S. 19, the *Agricultural Safety Net and Market Competitiveness Act*

Over the past two years, farmers and ranchers have experienced rapid and severe declines in crop and livestock prices. These prices are projected to remain at current low levels indefinitely, in all commodities. Farmers find themselves in dire straits due to a combination of economic and weather-related events, which they could neither control nor anticipate.

Democrats helped alleviate some of the problems facing America's farmers in the 105th Congress, successfully obtaining \$6 billion in emergency relief for those suffering losses due to severe weather conditions and declining markets. However, Democrats recognize that tough times still lie ahead. In addition to continuing low prices, increasing concentration throughout the agricultural industry has obscured and distorted market signals that are fundamental to fair and free competition, which disproportionately affects smaller producers.

The Democratic Leadership Initiative

In the 106th Congress, Democrats will continue to work for farmers and will build on Democratic accomplishments by working to pass **S. 19**, the *Agricultural Safety Net and Market Competitiveness Act of 1999*. This broad-based initiative contains provisions to restore an economic safety net to producers so that they and their rural communities can withstand the current economic crisis and be healthy, strong and productive in the future.

The bill's provisions also will increase market transparency in agricultural markets domestically and abroad, revitalize competitive forces in the domestic marketplace for producers, and ensure that American producers have a fair opportunity to compete in foreign markets.

- **Counter-cyclical Income-loss Protection**—The bill includes a sense of the Senate resolution to consider strategies for offsetting extreme levels of income loss, resulting from economic and weather-related events that cannot be controlled or anticipated (Section 1).

- **Crop Insurance Availability and Affordability**—The bill contains a sense of the Senate resolution to pursue changes to the Federal crop insurance system that will increase the number of commodities eligible for coverage, increase access to products, and promote new strategies to manage producer risk (Section 2).
- **Expansion of Crop Insurance to Include Livestock**—The bill would amend the *Crop Insurance Reform Act* to authorize coverage of livestock (Section 3).
- **Mandatory Price Reporting**—The bill requires meat packers to report to the U.S. Department of Agriculture (USDA) the prices they pay for live cattle, hogs, and sheep and boxed beef. It also requires USDA to aggregate the data and make it publicly available on a real time basis through the Agriculture Marketing Service (AMS) (Section 4).
- **Mandatory Meat Labeling**—The bill requires country-of-origin labeling of beef, pork, and lamb. The bill also restricts the use of USDA quality grade to domestically produced beef, pork, or lamb (Section 5).
- **Inter-Agency Packer-Concentration Task Force**—The bill requires the President to establish an Interagency Task Force to investigate (1) alleged anti-competitive practices in the meat packing industry, and (2) affects on rural communities and the public at large of increasing concentration in many sectors of the agriculture industry (e.g., meat packing and processing, grain distribution and marketing, biotechnology) and industries that have a direct impact on agriculture, such as retail sales and transportation (Section 6).
- **Analysis of Potential Link between Credit and Market Concentration**—The bill requires the President to study whether public or private lending practices have contributed or are contributing to industry concentration. This study will focus on the appropriateness of credit eligibility requirements (explicit or otherwise) for (1) beginning farmers and ranchers, and (2) farmers and ranchers pursuing alternative management systems. The bill also requires recommendations of policies that promote credit suited to diverse producer needs (Section 7).
- **Analysis of Secretary's Powers Under Section 202 of the Packers and Stockyards Act**—Section 202 of the *Packers and Stockyards Act* authorizes the Secretary to prohibit anticompetitive

activities in the meat packing industry. The bill requires the General Accounting Office (GAO) to analyze and provide a full explanation of the scope of authority given to the Secretary of Agriculture under this section (Section 8).

- **Production and Marketing Contracts**—The bill requires that all contracts (ledger contracts, production contracts, marketing contracts and agreements, etc.) must be filed with the Packers and Stockyards Administration prior to their effective date. Pursuant to the elimination of proprietary information, contracts shall be in the public domain (Section 9).
- **Promotion of Value-added Enterprises, New Markets**—The bill includes a sense of the Senate resolution that USDA identify and promote opportunities, resources and economic incentives for producers to expand participation in value-added processing, cooperative enterprises, and improved marketing and financial management techniques (Section 10).
- **Farmland Protection**—The bill authorizes the Secretary of Agriculture to provide grants to offset the expense of conservation easements to protect topsoil by limiting nonagricultural uses of agriculturally productive land (Section 11).
- **Special 301 for Fair Trade**—The bill authorizes the U.S. Trade Representative (USTR) to identify countries that deny fair market access or apply unjustified sanitary or phytosanitary (SPS) trade barriers to U.S. agricultural exports and to seek remedy by engaging them in expedited bilateral negotiations. In the event of failed negotiations, USTR would, among other things, be authorized to seek dispute settlement, seek compensation, or retaliate against foreign products, as permitted under general Section 301 authority (also Section 182 of the *Trade Act of 1974*, as amended) (Section 12).
- **Mandatory Negotiating Goals for 1999 World Trade Organization Talks**—Under **S. 19**, Congress is to establish mandatory minimum negotiating goals for the 1999 World Trade Organization (WTO) talks on agriculture (Section 13).
- **USTR Consultation with Senate Agriculture Committee on Agricultural Trade**—The bill requires USTR to consult with the Senate Agriculture Committee prior to signing any trade agreement comprising agriculture-related provisions (Section 14).

S. 20, the *Brownfields and Environmental Cleanup Act*

Tens of thousands of contaminated industrial sites sit abandoned across the country. Known as “brownfields,” these sites are not contaminated enough to qualify for cleanup under the Superfund program. However, they pose health risks to local residents and remain largely undeveloped, impeding economic progress throughout the country’s urban, suburban and rural landscape. Brownfields need to be cleaned up in order to encourage job growth, clean the environment, reduce sprawl around cities, and improve overall quality of life for millions of Americans.

In just the three years since it started, the EPA Brownfields Economic Redevelopment initiative has launched 226 brownfields pilots across the country, leveraged more than \$1 billion in private funds, and created more than 2,000 jobs, with tens of thousands more projected. Now, Democrats are working with the EPA and pushing this environmental initiative to make brownfields cleanup and redevelopment easier.

Democratic Leadership Initiative

S. 20, the *Brownfields and Environmental Cleanup Act of 1999*, will facilitate the cleanup and development of brownfields by encouraging States and municipalities to work with private sector developers.

Grants for inventory and assessment. Grants to local, State and tribal governments for the inventory and assessment of brownfields sites would enable interested parties to know how many sites exist and whether and what kind of cleanup actions each site would require. The bill authorizes \$35 million per year from the Superfund for five years.

Grants to capitalize low-interest loans. Another set of grants would promote voluntary cleanup actions by enabling local, State, and tribal governments to make low-interest loans—where traditional lending mechanisms may not be available—to prospective buyers, municipalities and other for the cleanup of brownfield sites. The bill authorizes \$50 million per year from the Superfund for five years.

Liability relief for interested parties. In addition, the bill would provide Superfund liability relief for a number of parties potentially affected by brownfields. Relief would be given to prospective purchasers who are not responsible for contamination and do not impede the performance of site cleanup or restoration, provided that all appropriate inquiries were made prior to acquisition. The bill would clarify relief from Superfund liability for landowners who had no reason to know of contamination at the time of purchase, provided they have made “appropriate inquiry,” such as an environmental site assessment done within 180 days prior to acquisition. Relief also would be provided to contiguous property owners who own or operate property contaminated solely because of a release from a contiguous property—one not caused by or contributed to by the owner.

S. 74, the *Paycheck Fairness Act*

Nearly thirty-five years ago, President Kennedy called the *Equal Pay Act* the first step in addressing “the unconscionable practice of paying female employees less wages than male employees for the same job.” When President Kennedy signed the *Equal Pay Act* in 1963, women earned 61 cents for each dollar earned by a man (Bureau of the Census).

Nearly four decades later, the earning power of women relative to men has not improved significantly. In 1997, a working woman still earned on average only 74 percent of the wage earned by a man (Bureau of the Census).

In addition, lower pay over a lifetime of work makes it far more difficult for women to save adequately for retirement. The average American woman loses approximately \$420,000 in wages and benefits over the course of her life because of unfair pay practices (Bureau of the Census). Because the average woman lives seven years longer than a man, women need to stretch fewer dollars over a longer period of time.

In today’s competitive economy, pay equity is not just a women’s issue, but also a family issue. The *Paycheck Fairness Act* would bring equality and economic stability to women and their families.

Democratic Leadership Initiative

The *Paycheck Fairness Act* seeks to:

- toughen the remedy provisions of the *Equal Pay Act*, by allowing compensatory and punitive damages when appropriate and making it easier for cases to proceed as class actions;
- train Equal Employment Opportunity Commission (EEOC) staff to better handle wage disputes;
- recognize the achievements of the employers who have worked to eliminate pay inequality; and
- establish the sense of the Senate that the President should take steps to increase information about pay equity.

Conclusion

Republicans demonstrated a lack of direction in the 105th Congress, leaving a legacy of inaction and failure to meet basic legislative responsibilities.

By contrast, Democrats continue to advance a common-sense agenda that reflects what is most important to working Americans and their families: better health care, improved public schools, enhanced income security, safer streets and neighborhoods, improved access to health care and better services for seniors, sound campaign finance reform, more accessible child care, a safer food supply, additional relief for farmers, and a cleaner environment.

These Democratic policy initiatives will benefit millions of Americans. They are a continuation of Democrats' historic commitment to improving the lives of working families. They speak to kitchen table issues that American families deal with every day. And they represent new opportunities that will work to make America even stronger and better for future generations.



Democratic Policy Committee
United States Senate
Washington, D.C. 20510-7050

Tom Daschle, Chairman
Byron Dorgan, Co-Chairman

DEMOCRATIC POLICY COMMITTEE

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SPECIAL REPORT

Democratic Leadership Initiatives for the 106th Congress

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Democratic Leadership Initiatives

Americans work hard to meet their obligations to parents, children, and community. Struggling to balance their work and personal lives, American families make difficult choices every day about making ends meet, paying for health care, finding excellent schools and after-school care for their children, and planning for retirement.

During the 105th Congress, Democrats achieved a number of victories for America's working families, including strengthening Medicare, a new program to help lower-income working parents purchase health insurance for their children, new tax credits to help middle-class families pay for college, and funding to help communities hire 100,000 well-trained teachers.

To build on these accomplishments, Democrats will stand united in the 106th Congress to improve the quality of life for millions of hard-working Americans. In the coming months, Democrats' legislative priorities will include the following:

Democrats' First Five Bills

- **S. 6**, the *Patients' Bill of Rights Act*;
- **S. 7**, the *Public Schools Excellence Act*;
- **S. 8**, the *Income Security Enhancement Act*;
- **S. 9**, the *Safe Schools, Safe Streets and Secure Borders Act*;
- **S. 10**, the *Health Protection and Assistance for Older Americans Act*;

Additional Democratic Initiatives

- n* **S. 16**, the *Congressional Election Spending Limit and Reform Act*;
- n* **S. 17**, the *Child Care ACCESS Act*;
- n* **S. 18**, the *SAFER Meat and Poultry Act*;
- n* **S. 19**, the *Agricultural Safety Net and Market Competitiveness Act*;
- n* **S. 20**, the *Brownfields and Environmental Cleanup Act*; and
- n* **S. 74**, the *Paycheck Fairness Act*.

S. 6, the *Patients' Bill of Rights*

The focus of HMOs and other managed care plans on cutting costs and the emphasis of some on profits before patients' needs have undermined Americans' confidence in their health care. Over the past decade, the number of Americans in managed care plans has grown dramatically. It is estimated that by 1996, 75 percent of employees with employer-provided health insurance were covered by managed care.

In the 105th Congress, Democrats fought to provide millions of American families with quality health care as they worked to pass the *Patients' Bill of Rights*. This bill was supported by nearly 200 organizations representing doctors, nurses, patients' rights advocates, and consumer and labor groups. Unfortunately, the Republican majority refused to work with Democrats to pass strong, enforceable patient protections. Ultimately, they paid lip service to protecting patients, but proposed legislation that would create new loopholes to protect HMOs.

Despite the Republicans' and the managed care industry's best efforts to derail this legislation, Democrats are committed to keeping managed care reform at the forefront of Congressional debate. During the 106th Congress, the Democrats' number one legislative priority is the passage of the *Patients' Bill of Rights of 1999*.

Democratic Leadership Initiative

The central objective of the *Patients' Bill of Rights* is to ensure that patients will receive the care they have been promised and paid for. The *Patients' Bill of Rights* does this in a number of ways.

- **Guarantees patients access to emergency room care.** The *Patients' Bill of Rights* allows patients to go to any emergency room during a medical emergency, without having to call a health plan for permission. Emergency room physicians can stabilize their patients and plan for a cure after stabilization without fear that health plans will deny coverage.

- **Guarantees patients access to needed specialists.** The *Patients' Bill of Rights* ensures that patients who suffer from a chronic condition or a disease that requires care by a specialist will have access to a qualified specialist. If the HMO does not include specialists qualified to treat a condition, such as a child's heart defect, it would have to allow the patient to see a qualified doctor within its network at no extra cost. The *Patients' Bill of Rights* also allows patients with serious ongoing conditions to choose a specialist as their primary doctor or to see that doctor without having to ask their HMO for permission before every visit.
- **Gives women access to an OB/GYN.** The *Patients' Bill of Rights* allows a woman to have direct access to her OB/GYN without having to get a referral from her HMO. Women also would have the option to designate their OB/GYN as their primary care physician.
- **Frees doctors to practice medicine.** The *Patients' Bill of Rights* ensures that doctors—not HMO accountants—make medical decisions. HMOs are prevented from inappropriately interfering with doctors' judgments and cannot mandate drive-through procedures or set arbitrary limits on hospital lengths of stay. Doctors and nurses who advocate on behalf of their patients will be protected from retaliation by HMOs.
- **Makes needed prescriptions drugs available to patients.** The *Patients' Bill of Rights* ensures that patients with drug coverage will be able to obtain needed medications, even if they are not on the HMO's approved list.
- **Gives patients the right to appeal HMO decisions to an independent board and receive a timely decision.** The *Patients' Bill of Rights* guarantees that patients who are denied care by an insurance company can appeal to an independent reviewer and receive, timely decisions that are binding on the HMO.

- **Holds HMOs accountable for their actions.** Today, even if an HMO has been involved directly in dictating, denying, or delaying care for a patient, it can use a loophole in the *Employee Retirement Income Security Act of 1974* (ERISA) to avoid any responsibility for the consequences of its actions. ERISA was designed to protect employees from losing pension benefits due to fraud, mismanagement and employer bankruptcies during the 1960s, but has had the effect of leaving patients harmed by their HMOs' decisions to deny or delay care with no effective remedy. The *Patients' Bill of Rights* closes this loophole and ensures that like any other industry, HMOs can be held accountable for their actions.

S. 7, the *Public Schools Excellence Act*

Throughout the 20th Century, our public schools have provided opportunities for millions of Americans of all backgrounds and laid the foundation for our national economic success and strong economy. As the United States approaches the new millennium, it is critical that national leaders step up to the challenge and work to improve and strengthen our public schools. In an economy where six out of ten jobs will require sophisticated computer skills, and where the relationship between income and education level is clear, Senate Democrats are committed to improving education of the nearly 50 million American children who rely on public education.

Over the next ten years, public high school enrollment is expected to increase by 11 percent at the same time half of our Nation's experienced teachers will be retiring. The National Commission for Teachers and America's Future has found that current demand for new teachers is being met by admitting 50,000 unqualified teachers to the classroom each year. Further exacerbating the problem, too many new teachers leave the teaching profession within the first three to five years, including 30-50 percent of urban teachers.

In addition, the Nation's schools are in disrepair. Each day 14 million students attend schools that need extensive repair or replacement of one or more buildings. In addition, almost half (46 percent) of America's schools have inadequate electrical wiring for computers and communications technology.

In the 105th Congress, Democrats were successful in passing legislation to help families afford the cost of higher education and enhance learning in our public elementary and secondary schools by establishing HOPE scholarships, a tax credit for up to \$1,500 of tuition expenses and providing local communities with \$1.2 billion to reduce class size. Democrats are united behind an education legislative agenda for the 106th Congress that builds on these legislative successes, and tackles the challenges of preparing our children to work in the high-tech economy of the 21st Century.

Democratic Leadership Initiative

S. 7, the *Public Schools Excellence Act*, combines several proposals to increase student achievement.

School Modernization. This legislation would help local communities rebuild, modernize and reduce overcrowding in more than 5,000 local public schools. The school modernization plan provides nearly \$20 billion in authority for States and local governments to issue qualified school modernization bonds, effectively paying the interest cost of school bond issues. It also modifies the existing qualified zone academy bonds program to expand funding for the bonds and include new school construction as a permissible use.

100,000 Teachers—Smaller Classes. The bill also builds on last year's budget agreement by authorizing a six-year effort to help local school districts continue to meet the goal of hiring 100,000 new, qualified teachers to reduce class size in grades one through three. Up to 15 percent of the funds can be used to support activities such as professional development courses to improve overall teacher quality.

Quality Teachers. The legislation will provide local school districts with \$1.2 billion to recruit excellent teacher candidates, retain and support promising beginning teachers, and provide veteran teachers and principals with the ongoing professional development needed to help all children meet high standards of achievement. The bill requires the full \$300 million for funding of Title II of the *Higher Education Act* to improve the initial preparation of teachers. **S. 7** also includes accountability measures to ensure improvement in the quality of the Nation's teaching force by requiring States and school districts to reduce both out-of-field placement of teachers and the number of teachers with emergency credentials.

After-School Programs. In order to provide parents and their children with better choices, Democrats support tripling the funding (from \$200 million to \$600 million) for the 21st Century Learning Center Program, which gives schools funds to operate after-school and summer school programs. Currently, over 190,000 children in 800 schools around the country benefit from this program, by participating in after-school programs that provide students with academic enrichment, tutoring, recreation and other activities. By expanding the program, more than one million children each year will have access to safe and constructive after-school activities. In addition, the bill provides funds for community-based after-school programs through the Child Care and Development Block Grant.

S. 8, the *Income Security Enhancement Act*

S. 8, the *Income Security Enhancement Act*, includes the following measures to enhance the economic security of working Americans: an increase in the minimum wage, marriage penalty tax relief, pay equity for women, pension reform, and an initiative to ensure any budget surplus is not spent before Congress addresses the solvency of Social Security.

The *Fair Minimum Wage Act*

By nearly every measure, we have the strongest economy in a generation. A budget surplus, rising worker productivity, and increased business investment have given us sustained economic growth, the lowest unemployment rate in 29 years, and the lowest inflation rate in more than three decades. But the benefits of prosperity have not flowed to many lower wage workers. Senate Democrats believe that honoring work means paying these workers a fair minimum wage.

Democratic Leadership Initiative

S. 8 would provide a 50 cent increase to the minimum wage on September 1, 1999, and a second increase on September 1, 2000. These modest increases, which would raise the minimum wage to \$6.15 per hour, would help millions of lower-income Americans and their families. The legislation would also extend the Federal minimum wage to the Commonwealth of the Northern Marianas Islands (CNMI) for the first time.

To have the purchasing power it had in 1968, the minimum wage should be at least \$7.45 per hour today, instead of the current level of \$5.15. That gap shows how far we have fallen short in giving lower-income workers their fair share of our extraordinary economic prosperity. Since 1968, the stock market, adjusted for inflation, has increased by more than 150 percent—while the purchasing power of the minimum wage has decreased by 30 percent.

In an era of economic growth in which the gap between rich and poor has widened, raising the minimum wage is a matter of fundamental fairness. Numerous studies have shown that modest increases in the minimum wage, especially during times of low unemployment, have not had a negative impact on employment. Analyses of Department of Labor data also reveal that benefits from an increase in the minimum wage go to the adult, low-income workers who need it the most.

The extension of the Federal minimum wage to CNMI would improve the quality of life for thousands of workers in this U.S. territory, whose current minimum wage is \$3.05. Since 1994, shipments of garments from the CNMI to the U.S. has almost tripled; the level of garment shipments for the last 12 months to the U.S. are valued at over \$1 billion dollars. Foreign garment makers with plants in the CNMI are using low-wage workers to manufacture garments made of foreign material. The garments produced then can be legally, but misleadingly, labeled as “Made in the USA.” If these garments are shipped with the “Made in the USA” label, then fairness requires that workers receive an equitable minimum wage.

Marriage Penalty Tax Relief

Democrats have worked hard to improve the tax code for working families. Senate Democrats have supported targeted tax relief to help students, families with children, small businesses, family-owned farms and businesses, retirement savings, and other key priorities. **S. 8** continues that effort by providing marriage penalty tax relief.

The “marriage penalty” is the additional tax paid by a husband and wife over and above what the couple would have paid in the aggregate if they were not married. Marriage penalties generally occur where both spouses have similar incomes. As one spouse’s income becomes greater relative to the other, the penalty diminishes. Consequently, those who will benefit most from this bill are working couples who rely heavily on a second income. Democrats want to make sure that families in which both spouses work are treated fairly under the tax code.

Democratic Leadership Initiative

Twenty percent deduction. The bill allows families to deduct 20 percent of the income of the lesser-earning spouse. This deduction would be phased out for families making between \$50,000 and \$70,000 a year. The 20 percent deduction would be “above-the-line,” ensuring that all joint filers could claim it, regardless of whether they itemize deductions on their tax return.

Benefits those eligible for the EITC. The deduction would be factored into the Earned Income Tax Credit (EITC) calculation; that is, it would help people making less than \$30,000 who may have no income tax liability against which to take the deduction.

Targeted tax relief. Unlike other proposals that alleviate the marriage penalty for some while increasing the marriage bonus for others, 90 percent of this tax cut goes to working families who actually experience a marriage penalty.

The Paycheck Fairness Act

Nearly thirty-five years ago, President Kennedy called the *Equal Pay Act* the first step in addressing “the unconscionable practice of paying female employees less wages than male employees for the same job.” When President Kennedy signed the *Equal Pay Act* in 1963, women earned 61 cents for each dollar earned by a man (Bureau of the Census).

Nearly four decades later, the earning power of women relative to men has not improved significantly. In 1997, a working woman still earned on average only 74 percent of the wage earned by a man (Bureau of the Census).

In addition, lower pay over a lifetime of work makes it far more difficult for women to save adequately for retirement. The average American woman loses approximately \$420,000 in wages and benefits over the course of her life because of unfair pay practices (Bureau of the Census). Because the average woman lives seven years longer than a man, women need to stretch fewer dollars over a longer period of time.

In today’s competitive economy, pay equity is not just a women’s issue, but also a family issue. The *Paycheck Fairness Act* would bring equality and economic stability to women and their families.

Democratic Leadership Initiative

The *Paycheck Fairness Act* seeks to:

- toughen the remedy provisions of the *Equal Pay Act*, by allowing compensatory and punitive damages when appropriate and making it easier for cases to proceed as class actions;
- train Equal Employment Opportunity Commission (EEOC) staff to better handle wage disputes;
- recognize the achievements of the employers who have worked to eliminate pay inequality; and
- establish the sense of the Senate that the President should take steps to increase information about pay equity.

NOTE: This provision of **S. 8** is also introduced separately as **S. 74** which is described again at the end of this document.

The Retirement Accessibility, Security and Portability Act

Not all Americans have access to private pensions or are able to acquire personal retirement savings. Many retirees have financial difficulties and, as the oldest members of the baby boom generation begin to approach retirement, Americans have growing concerns about preparing for retirement. Democrats will continue to work toward enhancing the retirement security of American families.

Democratic Leadership Initiative

S. 8 seeks to improve pension access and coverage, promote pension portability, strengthen pension security, and provide pension equity for women.

Increasing access and coverage. The bill would boost pension coverage for men and women by making it easier for employers to offer pension benefits, as well as for workers to build up adequate retirement savings. In

addition, the bill seeks to improve pension access for small business employees and low-to-moderate income workers, who are less likely to have pension coverage. The main features of the pension access provisions in **S. 8** would:

- create a new system to help workers without pension coverage build their own retirement savings through direct deductions from their paychecks into an IRA;
- establish an easy-to-administer defined benefit plan option for small businesses, known as the SMART plan;
- provide a maximum credit of \$1,000 to help small businesses cover the cost of setting up new pension plans; and
- modify new rules for “SIMPLE” and 401(k) plans to encourage minimum pension coverage for low-to-moderate income employees.

Promoting pension portability. Few Americans will spend their working lives in one job. Today, the American workforce is much more mobile than it once was, and workers need to take their pension savings with them as they move from job to job. Improved pension portability would give workers greater flexibility, allowing them to change jobs and still acquire retirement savings and earn pensions. This bill encourages pension portability through:

- faster vesting of employers’ matching contributions under defined contribution plans (including 401(k) plans), so that employees would have rights to the contributions after at least three years of employment;
- allowing participants in State and local government plans (457 plans) to roll over their account balances into IRAs; and
- allowing rollovers between 401(k) and similar plans set up by non-profit organizations, including 403(b) plans.

Strengthening pension security. Americans depend on their retirement income, and Democrats want to help ensure that the pension benefits that American workers expect will be there when they retire. This bill protects and strengthens pensions through:

- establishing greater safeguards against corporate raids on their employees’ pension plans;

- creating stricter requirements for audits of plan assets and the ways in which companies may invest these assets;
- prohibiting employers from making credit card loans against pension assets; and
- providing pension plan participants with regular and informative benefit statements, so they can monitor the activity and value of their own pension assets.

Increasing pension equity for women. Pension laws were not developed to take into account the full impact of women's work patterns. Because women enter and exit the workforce more frequently than men, and tend to work in jobs that are less likely to offer pension coverage, women often have to rely on their husbands' retirement benefits for their retirement security. **S. 8** would reduce the wide gap in pension coverage between men and women. The bill includes:

- new safeguards to ensure that pension benefits are not overlooked when a couple divides assets upon divorce;
- a new option for Federal workers to provide a greater benefit for women who outlive their husbands;
- new safeguards to ensure that women are not denied their share of their husbands' retirement benefits;
- protections for low-income women against the loss of their Social Security benefits;
- a new women's pension information hotline; and
- additional hours taken under the *Family and Medical Leave Act* that may be credited to the pension plan for purpose of participation and vesting in their plan benefits. This would ensure that women are not forced to choose between meeting the needs of their families and their retirement security.

Save Social Security First

Democrats believe Social Security must be protected, not only for today's elderly, but for all Americans, even those who have not yet entered the workforce. Under current law, total Social Security benefits will begin to exceed payroll tax revenues in 2013. Less than two decades later, Social Security trust funds will be exhausted. The strongest economy in decades provides a unique opportunity to address the long-term solvency of Social Security now.

Republicans in Congress, however, are proposing to weaken the current pay-as-you-go budget rule so that they may spend Social Security trust fund revenues for other purposes. Relaxing the pay-as-you-go rule before reforming Social Security would jeopardize efforts to protect this important program. That is why Democrats want to make sure those safeguards remain in place until we act to save Social Security for the next generation.

Democratic Leadership Initiative

S. 8 establishes a 60-vote point of order against the consideration of legislation that would weaken the pay-as-you-go rule. This rule requires that legislation passed by the Senate include offsets for any increase in mandatory spending or reduction in revenue. In this way, the pay-as-you-go system ensures that legislation does not tap needed Social Security trust fund surpluses. The point of order will sunset once Congress enacts legislation that secures the long-term solvency of the Social Security program.

S. 9, the *Safe Schools, Safe Streets, and Secure Borders Act*

In the midst of rapidly increasing crime rates earlier in the decade, Congressional Democrats passed the *Violent Crime Control and Law Enforcement Act of 1994*. This landmark legislation, and other recent Democratic anti-crime initiatives, have resulted in an historic decrease in crime rates across the United States. According to the Bureau of Justice Statistics (BJS), the violent crime rate in 1997 dropped to its lowest level since 1973, the year BJS started collecting this data.

While crime rates continue to decline, Senate Democrats believe we must do more to further reduce crime. Our juvenile justice system is ill-equipped to deal with young violent offenders whose actions have consequences every bit as tragic as the actions of their adult counterparts. Street gangs continue to peddle drugs, commit violent acts against innocent citizens, and spread fear and intimidation in our neighborhoods. And the recent threats of violence against Americans abroad remind us that international terrorism remains a grave threat to our security. **S. 9**, the *Safe Schools, Safe Street and Secure Borders Act*, offers a comprehensive approach to crime and provides the resources to make the *Act* work.

Democratic Leadership Initiative

S. 9, the *Safe Schools, Safe Streets, and Secure Borders Act of 1999*, continues the successful initiatives of the *1994 Crime Act*, targets violent crime in our schools, reforms the juvenile justice system, combats gang violence, cracks down on the sale and use of illegal drugs, enhances the rights of crime victims, and provides meaningful assistance to law enforcement officers in their battle against international crime and terrorism.

Continuing the successes of the 1994 Crime Act. The *Act* builds on successful initiatives in the *1994 Crime Act*.

- The Community Oriented Policing Services (COPS) Program is extended for two additional years to put 25,000 more police officers on the street.

- States can apply for additional grant funds and incentives for building prisons and jails if they require serious violent offenders to serve at least 75 percent of their sentences.
- The *Violence Against Women Act* (VAWA) is reauthorized through 2002 to provide \$600 million for grants dedicated to the arrest and prosecution of batterers, shelter for 400,000 abused women and their children, and continued access to the National Domestic Violence Hotline.

Targeting violent crime in our schools. S. 9 would target violent crime in schools by:

- creating a School Security Technology Center to serve as a national resource to local schools for school security assessments, security technology development, and technical assistance to improve school security, and provide an additional \$10 million under the Safe and Drug Free School Program to enable local schools to access technical assistance and purchase available security technology; and
- ensuring that juveniles with prior records of serious drug or violent felony acts do not receive or possess guns.

Reforming the juvenile justice system. The legislation would strengthen and reform the American juvenile justice system by:

- providing grants to States to incarcerate violent juvenile offenders, establish graduated sanctions, and encourage pilot programs to replicate successful juvenile crime reduction strategies;
- providing grants for juvenile gun and youth violence courts, and for truancy prevention and comprehensive delinquency prevention activities;
- banning prospective gun purchases by juveniles who have been adjudicated delinquent or convicted of violent crimes, and requiring gun dealers to make gun safety devices available for sale or have their licenses revoked; and
- imposing tougher penalties for possession of guns during the commission of a crime of violence or drug offense.

Combating gang violence. The bill would target gang violence by:

- supporting law enforcement anti-gang efforts in communities designated by the Attorney General as areas with a high level of interstate gang activity;
- enhancing penalties for convicted felons who wear protective body armor or use “lasersighting” devices to facilitate the commission of a crime; and
- doubling the criminal penalties for using or threatening physical violence against witnesses, victims and informants.

Preventing and punishing the sale and use of illegal drugs. The Senate Democrats’ anti-crime initiative would crack down on the sale and use of illegal drugs by:

- increasing penalties for distributing drugs to juveniles and drug trafficking in or near schools;
- authorizing and funding adult and juvenile drug courts, which subject eligible nonviolent drug offenders to intensive supervised treatment programs;
- encouraging research to develop better medications for the treatment of drug addiction; and
- implementing a national drunk driving standard of .08 Blood Alcohol Content.

Protecting law enforcement officers and the judiciary. This initiative would substantially increase current protections for Federal, State, and local law enforcement officers and other public servants by:

- extending the Bulletproof Vest Partnership grant program through 2003;
- establishing new crimes and increasing penalties for killing Federal officers and State or local employees, who are assisting Federal officials, and for killing or assaulting State correctional officers handling Federal prisoners or detainees;

- enhancing the penalty for assaults and threats against Federal judges and other Federal officials engaged in their official duties; and
- establishing a protective function privilege against testimony from Secret Service officers, so that they are able to fulfill their mission of protecting the President, those in direct line for the Presidency, and foreign heads of state.

Guaranteeing the rights of crime victims. The victim rights provisions in the *Act* would reform Federal law in the following ways:

- establishing the right of victims to be notified of detention hearings, plea agreements, sentencing, probation revocations, and prison releases and escapes;
- giving grants to fund the hiring of State and Federal victim-witness advocates to assist crime victims; and
- establishing greater protections against the actions of bounty hunters.

Fighting the war on international crime and terrorism. **S. 9** also would strengthen our efforts in the war against terrorism and international crime by:

- authorizing the FBI's investigation and prosecution of murder and extortion by organized crime groups against U.S. nationals abroad;
- restraining the bank accounts and mobile assets in the United States of persons arrested abroad;
- permitting American law enforcement agencies to share witnesses and evidence with foreign governments; and
- deny racketeers and arms traffickers admission to the U.S. when consular officials have reason to believe they are involved in racketeering activities, arms trafficking, or are fleeing foreign prosecution.

S. 10, the *Health Protection and Assistance for Older Americans Act*

One of the Democrats' strongest achievements in the 105th Congress was protecting and strengthening Medicare in the *Balanced Budget Act of 1997*. Democrats preserved the future of Medicare by implementing reforms, ensuring the financial stability of the Part A trust fund, and protecting the estimated 38 million elderly and disabled Medicare beneficiaries.

Although Democrats have improved access to insurance and health care for millions of Americans, more work remains to be done. For example:

- Americans aged 55 to 64 face special problems with health insurance access and affordability as they face increasing risks of health problems;
- more than five million Americans have significant limitations due to illness or disability and require long-term care; and
- the *Older Americans Act* which is the principal program for delivering social and nutritional services for older Americans has not been reauthorized since Republicans took control of Congress.

Addressing these issues and continuing to strengthen and protect the Medicare program will be at the forefront of the Democrats' legislative priorities during the 106th Congress.

Democratic Leadership Initiative

S. 10, the *Health Protection and Assistance for Older Americans Act*, is the Democrats' principal initiative to improve health care and support services for older Americans. During the 106th Congress, Democrats will be working to meet seniors' needs by offering initiatives to:

- expand access to health care coverage for 55- to 65-year-olds;
- support Americans with long-term care needs and their caregivers; and
- reauthorize the *Older Americans Act*.

Expanding Access to Medicare and Health Care

Americans ages 55 to 64 face problems of access to and affordability of health insurance, as they face increasing risks of health problems.

- Approximately 3.2 million 55- to 64-year olds lack health insurance. This represents an increase of 7 percent in 1997, compared to an increase of 4 percent for the whole country. The number of uninsured individuals in this age range will continue to grow, as the number of people ages 55 to 64 increases from 21 million to 35 million by 2010.
- As people approach age 65, they have less access to, and a greater risk of losing, employer-based health insurance. Many Americans in this age group retire or shift to part-time work or self-employment, sometimes involuntarily. About five million, or 22 percent, of 55- to 65-year olds are either uninsured or rely on frequently expensive individual insurance; three million have no insurance at all.
- People in this age range are twice as likely as 25- to 54-year olds to purchase individual insurance. However, those who seek coverage in the individual market often face significantly higher premiums and find that insurers refuse to cover any care for existing illnesses. In many States, insurers can refuse to issue a policy to an individual.
- The 55- to 64-year-old population is twice as likely to have heart disease, strokes or cancer as people aged 45 to 54. They are three times as likely as 35- to 44-year olds to report fair to poor health status.

S. 10 includes three provisions to improve access to health insurance for 55- to 64-year-olds.

- Individuals ages 62 to 64 without access to group insurance may buy into Medicare.

- Workers ages 55 to 61 and their spouses who lose their health insurance when their firm closes or are laid off may buy into Medicare.
- Retirees ages 55 to 64 whose employers drop their retiree health coverage after they have retired may buy into the employer's health plan through COBRA coverage.

Long-Term Care Initiative

Those who require long-term care—and their caregivers—face significant costs for their care, but few people have insurance to cover those costs.

- About five million Americans of all ages have significant limitations due to illness or disability, and need assistance performing three or more activities of daily living. About two million live in nursing homes; and approximately three million live in their communities and are cared for by family and friends.
- As the aged population grows, so will the number of people requiring long-term care. The number of people aged 65 years or older will double by 2030, from 34.3 million to 69.4 million. The number of people aged 85 years or older will grow even faster, from 4.0 million to 8.4 million.
- The market for insurance to cover long-term care needs is new and untested, and premiums often are high. In addition, many people do not recognize that the Medicare program will not pay for many of their long-term care needs.

S. 10 includes a long-term care initiative, which will also be introduced separately by Senator **Mikulski**. The initiative has four provisions:

- Americans with long-term care needs or family members who care for and house their ill or disabled relatives will be eligible for a \$1,000 tax credit. This proposal supports the needs of families by compensating a wide range of formal or informal long-term care arrangements for people of all ages with three or more limitations in daily activities or a comparative cognitive impairment. About two million Americans, including 1.2 million older Americans, will benefit from this provision.

- A nationwide program would provide respite care and other caregiver support services. This program would support 250,000 families nationwide.
- An education campaign would inform all Medicare beneficiaries about the limitations of Medicare's long-term care coverage and how to evaluate alternative options for meeting their long-term care needs. Nearly 60 percent of Medicare beneficiaries are unaware that Medicare does not cover most long-term care.
- The Federal government would set a national example by offering quality private long-term care insurance to Federal employees. Federal employees, retirees, and their families would be offered non-subsidized, quality long-term care insurance at group rates. It is estimated that approximately 300,000 Federal employees would participate in this program.

Reauthorization of the *Older Americans Act*

The *Older Americans Act* is the main legislative vehicle for delivering social and nutritional services to the elderly. The services funded by the *Act* include meals on wheels, counseling, elder abuse prevention programs, and a long-term care ombudsman program to investigate the complaints of nursing home residents.

The *Older Americans Act* has not been reauthorized since the Republicans took control of Congress in 1994. The program's authorization expired in 1995. The lack of reauthorization creates uncertainty and concern among many seniors who depend on the programs offered by the *Act* and fear that these services may be at risk.

- The *Act's* grant program supports 57 State agencies on aging, 660 area agencies on aging, and 27,000 service providers (CRS).
- The *Act's* Title III nutrition program provides 238 million meals to more than 3 million older Americans. A national evaluation of the nutrition program showed that its participants are older, more likely to be poor, to live alone, and to be members of minority groups (CRS).

- It is estimated that the *Act* provides approximately 40 million rides, and responds to more than 13 million requests for information and assistance each year (CRS).

S. 10 reauthorizes the *Older Americans Act* through FY 2002.

S. 16, the *Congressional Election Campaign Spending Limit and Reform Act*

Candidates and political parties spent more than \$2 billion dollars on the 1996 elections. The average winning U.S. Senator spent \$3.8 million in 1996, compared to \$609,000 to win a Senate seat in 1976, which is a 450 percent increase over those 20 years.

Although the final costs of the 1998 election have not been tallied, it is clear that the costs of campaigns continue to increase. Receipts for 1998 general election Senate candidates grew from \$220 million in 1996, to \$244.4 million in 1998, an 11 percent increase (Federal Election Commission). In addition, the *Washington Post* reports that \$220 million in soft money was raised from January 1, 1997 through October 14, 1998. This amount more than doubles the \$102 million in soft money contributions for all of 1993 and 1994, the last non-presidential campaign cycle.

Democrats fought throughout the 105th Congress to pass responsible campaign finance reform to limit the influence of special interests in Federal elections. Senate Democrats were successful in forcing the Republican leadership to bring the bipartisan McCain-**Feingold** campaign finance reform bill to the Senate floor in September 1997, February 1998, and September 1998. In each instance, a majority of the Senate supported reform, but the Republican leadership prevented a direct vote, killing reform through procedural maneuvering.

Democrats and the American people do not agree with the Republicans. The unprecedented sums of money being spent on elections are not making elections more competitive, nor are they enticing citizens to get more involved—precisely the opposite is happening. The Committee for the Study of the American Electorate reported that fewer Americans cast their ballots in the 1998 mid-term than in 1994, plunging voter turnout to its lowest level since 1942.

Democratic Leadership Initiative

Once again, Democrats will make reforming the campaign finance system to reduce the influence of big money special interests a top priority. **S. 16**, the *Congressional Election Campaign Spending Limit and Reform Act*, includes provisions to curb spending, limit soft money, tighten independent expenditure rules, stop abuse of issue ads, and strengthen the ban on foreign contributions.

Voluntary spending limits. The bill includes a voluntary system of spending limits for Senate candidates (on overall campaign and candidates' personal spending), in exchange for a broadcast rate of 50 percent of the lowest unit rate in general elections. Additional spending is allowed and public funding is offered as a backup mechanism to compensate a candidate opposed by independent expenditures or by an opponent who exceeds the limit.

Soft money. The bill would prohibit soft money contributions to national parties. State and local parties would be permitted to use soft money in non-presidential election years if the money is used only for State and local candidates or ballot measures, and State party committees would be allowed to maintain a separate fund for generic party and grassroots voter drives.

Independent expenditures. The bill works to reduce abuses associated with independent expenditures. Expenditures made in coordination with a candidate or the candidate's committee as an employee or consultant during the election year will be treated as a contribution and not an independent expenditure. The same is true if the person making the expenditure retains the services of an individual who also is providing services to the candidate.

Issue advocacy. The bill works to close the issue advocacy loophole by clarifying the definition of "express advocacy" communication. Express advocacy is defined as urging either the election or defeat of a clearly identified Federal candidate by using explicit phrases that link a candidate to a favored issue position, or using words that in context can have no other reasonable meaning that identifies the candidate, and are made within 60 days of a general election.

Foreign money. The legislation strengthens current law to prohibit foreign nationals from making any contributions in a Federal, State, or local election.

S. 17, the *Child Care ACCESS Act* (Affordable Child Care for Early Success and Security)

Today, more than 60 percent of women with children younger than six, and 77 percent of women with children between the ages of six and seventeen, are in the labor force. Millions of American families face the challenge of finding safe and affordable child care for their children.

Each day, an estimated 13 million children younger than six—including six million babies and toddlers—spend some or all of their day being cared for by someone other than their parents. The care these children receive, especially when they are very young, will have a tremendous impact on their development. Unfortunately, child care quality is not uniformly high. For example, a recent study found 40 percent of the rooms serving infants in child care centers to be of such poor quality as to jeopardize children's health, safety, or development (Children's Defense Fund).

Democrats understand that child care is critically important to America's working families. That is why Democrats are committed to helping States and local communities address the issues of quality, affordability and accessibility in child care.

Democratic Leadership Initiative

S. 17, the *Child Care ACCESS Act* (Affordable Child Care for Early Success and Security), significantly increases child care subsidies for poor children; provides tax relief to help low- and middle-income families pay for child care; creates a tax credit for businesses that provide child care for their employees; increases after-school opportunities for children; promotes early learning; and improves child care quality.

Improving the affordability of child care. The bill provides an additional \$7.5 billion over five years through the Child Care and Development Block Grant, to expand the availability of child care subsidies for working families. This investment will double the number of children served by the block grant to two million by 2004.

Enhancing the quality of child care and early childhood development. The bill provides an additional \$2 billion over five years through the Child Care and Development Block Grant to encourage States to invest in quality improvements such as reducing provider-child ratios; conducting background checks on child care providers; improving the compensation, education and training of child care providers; educating parents on the importance of high-quality care; and ensuring the availability of infant care, child care during non-standard hours, and care for children with special health care needs.

In addition, **S. 17** would involve communities in improving the quality of early childhood development by providing \$2.5 billion over five years in grants to local collaboratives to strengthen services for young children. The bill also would encourage dedicated child care providers to stay in the profession by helping with the repayment of educational loans.

Increasing the availability and quality of school-age child care. The bill provides an additional \$2 billion over five years through the Child Care and Development Block Grant to increase the supply and quality of school-age care in all settings. In addition, through the 21st Century Community Learning Centers, the legislation provides \$600 million to encourage schools to create before- and after-school programs.

Supporting family choices in child care. The bill increases the Dependent Care Tax Credit for families earning under \$60,000—a family earning \$35,000 would see its benefit double from \$480 to \$1,080. In addition, the credit is refundable so that working families with little or no tax liability (those earning under \$30,000) can receive assistance with child care expenses.

The legislation also allows stay-at-home parents with children under the age of one to claim a portion of the Dependent Care Tax Credit. This credit would also be made refundable to allow families earning under \$30,000 to benefit.

Encouraging private-sector involvement. The bill creates a new discretionary program of competitive “challenge grants,” in which communities that generate funds from the private sector could receive matched Federal dollars to improve the availability and quality of child care on a community-wide basis. This is authorized at \$400 million over five years.

In addition, the legislation provides a 25 percent tax credit to employers for operating on-site child care centers; contracting for off-site child care; contributing to the costs of accreditation; or operating resource and referral systems.

Ensuring the quality of Federal child care facilities. The bill requires Federal child care centers to meet all applicable State licensing standards.

S. 18, the *SAFER Meat and Poultry Act (Safe and Fair Enforcement and Recall)*

Changes in the food industry have called for changes in the way we ensure the safety of our food supply. Meat and poultry plants have turned into large operations moving millions of pounds of products into grocery stores, restaurants, and our homes every day. A single contaminated lot of meat can be spread to consumers across the country in a few days. Our ability to assure the safety of our food and react rapidly to potential threats to food safety is critical not only for public health, but also for the vitality of both domestic rural economies and international trade.

Democrats in the 105th Congress successfully helped to improve food safety by securing an increase of \$75.2 million to \$633 million for Food Safety initiatives, including full funding for the Food Safety and Inspection Service, improvements in surveillance of food-borne illnesses, education about proper food handling, research, and inspection of imported and domestic foods. Democrats also worked to pass the *Agricultural Research Extension and Education Reform*, a bill authorizing \$600 million over five years for—among other things—expanded food safety programs. Democrats will build on these accomplishments by working to pass **S. 18**, the *SAFER Meat and Poultry Act (Safe and Fair Enforcement and Recall)*.

Democratic Leadership Initiative

S. 18 gives the Secretary of Agriculture modern, common-sense tools to combat food-borne illness. These tools will help to prevent meat and poultry from contamination by potentially deadly *E. coli* and *Salmonella* bacteria and allow the Secretary to move quickly and decisively to contain food-borne disease outbreaks. The bill would:

- require processors and handlers to notify the U.S. Department of Agriculture (USDA) about contaminated meat and poultry products;
- authorize USDA recall of unsafe products;

- clarify and reinforce the USDA's authority to refuse or withdraw inspection of plants that violate safety standards or procedures; and
- give the USDA the power to assess civil fines for violations.

S. 19, the *Agricultural Safety Net and Market Competitiveness Act*

Over the past two years, farmers and ranchers have experienced rapid and severe declines in crop and livestock prices. These prices are projected to remain at current low levels indefinitely, in all commodities. Farmers find themselves in dire straits due to a combination of economic and weather-related events, which they could neither control nor anticipate.

Democrats helped alleviate some of the problems facing America's farmers in the 105th Congress, successfully obtaining \$6 billion in emergency relief for those suffering losses due to severe weather conditions and declining markets. However, Democrats recognize that tough times still lie ahead. In addition to continuing low prices, increasing concentration throughout the agricultural industry has obscured and distorted market signals that are fundamental to fair and free competition, which disproportionately affects smaller producers.

The Democratic Leadership Initiative

In the 106th Congress, Democrats will continue to work for farmers and will build on Democratic accomplishments by working to pass **S. 19**, the *Agricultural Safety Net and Market Competitiveness Act of 1999*. This broad-based initiative contains provisions to restore an economic safety net to producers so that they and their rural communities can withstand the current economic crisis and be healthy, strong and productive in the future.

The bill's provisions also will increase market transparency in agricultural markets domestically and abroad, revitalize competitive forces in the domestic marketplace for producers, and ensure that American producers have a fair opportunity to compete in foreign markets.

- **Counter-cyclical Income-loss Protection**—The bill includes a sense of the Senate resolution to consider strategies for offsetting extreme levels of income loss, resulting from economic and weather-related events that cannot be controlled or anticipated (Section 1).

- **Crop Insurance Availability and Affordability**—The bill contains a sense of the Senate resolution to pursue changes to the Federal crop insurance system that will increase the number of commodities eligible for coverage, increase access to products, and promote new strategies to manage producer risk (Section 2).
- **Expansion of Crop Insurance to Include Livestock**—The bill would amend the *Crop Insurance Reform Act* to authorize coverage of livestock (Section 3).
- **Mandatory Price Reporting**—The bill requires meat packers to report to the U.S. Department of Agriculture (USDA) the prices they pay for live cattle, hogs, and sheep and boxed beef. It also requires USDA to aggregate the data and make it publicly available on a real time basis through the Agriculture Marketing Service (AMS) (Section 4).
- **Mandatory Meat Labeling**—The bill requires country-of-origin labeling of beef, pork, and lamb. The bill also restricts the use of USDA quality grade to domestically produced beef, pork, or lamb (Section 5).
- **Inter-Agency Packer-Concentration Task Force**—The bill requires the President to establish an Interagency Task Force to investigate (1) alleged anti-competitive practices in the meat packing industry, and (2) affects on rural communities and the public at large of increasing concentration in many sectors of the agriculture industry (e.g., meat packing and processing, grain distribution and marketing, biotechnology) and industries that have a direct impact on agriculture, such as retail sales and transportation (Section 6).
- **Analysis of Potential Link between Credit and Market Concentration**—The bill requires the President to study whether public or private lending practices have contributed or are contributing to industry concentration. This study will focus on the appropriateness of credit eligibility requirements (explicit or otherwise) for (1) beginning farmers and ranchers, and (2) farmers and ranchers pursuing alternative management systems. The bill also requires recommendations of policies that promote credit suited to diverse producer needs (Section 7).
- **Analysis of Secretary's Powers Under Section 202 of the Packers and Stockyards Act**—Section 202 of the *Packers and Stockyards Act* authorizes the Secretary to prohibit anticompetitive

activities in the meat packing industry. The bill requires the General Accounting Office (GAO) to analyze and provide a full explanation of the scope of authority given to the Secretary of Agriculture under this section (Section 8).

- **Production and Marketing Contracts**—The bill requires that all contracts (ledger contracts, production contracts, marketing contracts and agreements, etc.) must be filed with the Packers and Stockyards Administration prior to their effective date. Pursuant to the elimination of proprietary information, contracts shall be in the public domain (Section 9).
- **Promotion of Value-added Enterprises, New Markets**—The bill includes a sense of the Senate resolution that USDA identify and promote opportunities, resources and economic incentives for producers to expand participation in value-added processing, cooperative enterprises, and improved marketing and financial management techniques (Section 10).
- **Farmland Protection**—The bill authorizes the Secretary of Agriculture to provide grants to offset the expense of conservation easements to protect topsoil by limiting nonagricultural uses of agriculturally productive land (Section 11).
- **Special 301 for Fair Trade**—The bill authorizes the U.S. Trade Representative (USTR) to identify countries that deny fair market access or apply unjustified sanitary or phytosanitary (SPS) trade barriers to U.S. agricultural exports and to seek remedy by engaging them in expedited bilateral negotiations. In the event of failed negotiations, USTR would, among other things, be authorized to seek dispute settlement, seek compensation, or retaliate against foreign products, as permitted under general Section 301 authority (also Section 182 of the *Trade Act of 1974*, as amended) (Section 12).
- **Mandatory Negotiating Goals for 1999 World Trade Organization Talks**—Under **S. 19**, Congress is to establish mandatory minimum negotiating goals for the 1999 World Trade Organization (WTO) talks on agriculture (Section 13).
- **USTR Consultation with Senate Agriculture Committee on Agricultural Trade**—The bill requires USTR to consult with the Senate Agriculture Committee prior to signing any trade agreement comprising agriculture-related provisions (Section 14).

S. 20, the *Brownfields and Environmental Cleanup Act*

Tens of thousands of contaminated industrial sites sit abandoned across the country. Known as “brownfields,” these sites are not contaminated enough to qualify for cleanup under the Superfund program. However, they pose health risks to local residents and remain largely undeveloped, impeding economic progress throughout the country’s urban, suburban and rural landscape. Brownfields need to be cleaned up in order to encourage job growth, clean the environment, reduce sprawl around cities, and improve overall quality of life for millions of Americans.

In just the three years since it started, the EPA Brownfields Economic Redevelopment initiative has launched 226 brownfields pilots across the country, leveraged more than \$1 billion in private funds, and created more than 2,000 jobs, with tens of thousands more projected. Now, Democrats are working with the EPA and pushing this environmental initiative to make brownfields cleanup and redevelopment easier.

Democratic Leadership Initiative

S. 20, the *Brownfields and Environmental Cleanup Act of 1999*, will facilitate the cleanup and development of brownfields by encouraging States and municipalities to work with private sector developers.

Grants for inventory and assessment. Grants to local, State and tribal governments for the inventory and assessment of brownfields sites would enable interested parties to know how many sites exist and whether and what kind of cleanup actions each site would require. The bill authorizes \$35 million per year from the Superfund for five years.

Grants to capitalize low-interest loans. Another set of grants would promote voluntary cleanup actions by enabling local, State, and tribal governments to make low-interest loans—where traditional lending mechanisms may not be available—to prospective buyers, municipalities and other for the cleanup of brownfield sites. The bill authorizes \$50 million per year from the Superfund for five years.

Liability relief for interested parties. In addition, the bill would provide Superfund liability relief for a number of parties potentially affected by brownfields. Relief would be given to prospective purchasers who are not responsible for contamination and do not impede the performance of site cleanup or restoration, provided that all appropriate inquiries were made prior to acquisition. The bill would clarify relief from Superfund liability for landowners who had no reason to know of contamination at the time of purchase, provided they have made “appropriate inquiry,” such as an environmental site assessment done within 180 days prior to acquisition. Relief also would be provided to contiguous property owners who own or operate property contaminated solely because of a release from a contiguous property—one not caused by or contributed to by the owner.

S. 74, the *Paycheck Fairness Act*

Nearly thirty-five years ago, President Kennedy called the *Equal Pay Act* the first step in addressing “the unconscionable practice of paying female employees less wages than male employees for the same job.” When President Kennedy signed the *Equal Pay Act* in 1963, women earned 61 cents for each dollar earned by a man (Bureau of the Census).

Nearly four decades later, the earning power of women relative to men has not improved significantly. In 1997, a working woman still earned on average only 74 percent of the wage earned by a man (Bureau of the Census).

In addition, lower pay over a lifetime of work makes it far more difficult for women to save adequately for retirement. The average American woman loses approximately \$420,000 in wages and benefits over the course of her life because of unfair pay practices (Bureau of the Census). Because the average woman lives seven years longer than a man, women need to stretch fewer dollars over a longer period of time.

In today’s competitive economy, pay equity is not just a women’s issue, but also a family issue. The *Paycheck Fairness Act* would bring equality and economic stability to women and their families.

Democratic Leadership Initiative

The *Paycheck Fairness Act* seeks to:

- toughen the remedy provisions of the *Equal Pay Act*, by allowing compensatory and punitive damages when appropriate and making it easier for cases to proceed as class actions;
- train Equal Employment Opportunity Commission (EEOC) staff to better handle wage disputes;
- recognize the achievements of the employers who have worked to eliminate pay inequality; and
- establish the sense of the Senate that the President should take steps to increase information about pay equity.

Conclusion

Republicans demonstrated a lack of direction in the 105th Congress, leaving a legacy of inaction and failure to meet basic legislative responsibilities.

By contrast, Democrats continue to advance a common-sense agenda that reflects what is most important to working Americans and their families: better health care, improved public schools, enhanced income security, safer streets and neighborhoods, improved access to health care and better services for seniors, sound campaign finance reform, more accessible child care, a safer food supply, additional relief for farmers, and a cleaner environment.

These Democratic policy initiatives will benefit millions of Americans. They are a continuation of Democrats' historic commitment to improving the lives of working families. They speak to kitchen table issues that American families deal with every day. And they represent new opportunities that will work to make America even stronger and better for future generations.